

Message Text

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PAGE 01 THE HA 03653 210704Z

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ACTION L-03

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

EB-11 INR-10 NSAE-00 RSC-01 FAA-00 IO-13 DOTE-00

OIC-04 PM-07 H-03 NSC-10 PA-03 PRS-01 SS-15 USIA-15

NEA-10 RSR-01 /142 W

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R 201600Z AUG 73

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 1864

INFO AMEMBASSY BERN

AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMCONSUL MONTREAL

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

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MONTREAL FOR US REP ICAO

E.O. 11652: N/A

TAGS: PINS, PFOR, ETRN

SUBJECT: CIVAIR: ICAO EXTRAORDINARY ASSEMBLY/DIPLOMATIC
CONFERENCE, ROME

REFERENCE: STATE 157132

SUMMARY. DUTCH ARE THINKING ALONG LINES OF SUPPORTING BOTH INDEPENDENT CONVENTION AND AMENDMENT OF CHICAGO CONVENTION, BUT THEY HOLD THAT, GIVEN A CHOICE BETWEEN THE TWO, AMMENDMENT IS PREFERABLE AND SHOULD NOT BE SUBJECT TO AGREEMENT ON INDEPENDENT CONVENTION.

ISRAELI TREATMENT OF IRAQI AIRCRAFT SEEN AS ADDING PROBLEM TO ROME

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PAGE 02 THE HA 03653 210704Z

MEETINGS. ACTION REQUESTED: COMMENTS ON DUTCH PROPOSAL RE AMEND-

MENT. END SUMMARY.

1. IN LUNCHEON CONVERSATION WITH MOK WE POINTED OUT NEED FOR CONSENSUS OF AIR SERVICE STATES ON OBJECTIVES ON JOINT MEETINGS IN ROME, VALUE OF POSITIVE TRADE-OFF OF SUPPORT FOR EACH OF PROPOSED AGREEMENTS, VALUE OF HAVING AGREEMENTS WITH BOTH IMMEDIATE AND LONG-RANGE EFFECTS, AND PROCEDURAL OBJECTIVE THAT EACH OF TWO SEPARATE CONFERENCES SHOULD COME UP WITH POSITIVE RESULT.

2. MOK FULLY AGREED WITH VALUE OF INDEPENDENT CONVENTION AS VEHICLE FOR EARLY INTERNATIONAL ACTION AND INDICATED THAT GON WOULD SUPPORT IT. HE FELT THAT IT HAS LITTLE CHANCE OF SUCCESS, HOWEVER, SINCE AFRICANS AND ARABS ARE STRONGLY AGAINST IT, SOME OTHER LDC'S DO NOT SUPPORT IT, AND UK AND FRANCE SEEM TO BREAK THE RANKS OF MAJOR AIR SERVICE STATES. (HE WAS PLEASED TO HEAR OF OUR INDICATIONS THAT BRITISH MIGHT SUPPORT CONSENSUS IN FAVOR OF BOTH INDEPENDENT CONVENTION AND AMENDMENT OF CHICAGO CONVENTION, AND RELATED THAT HE HAD RECEIVED TWO PERSONAL INDICATIONS THAT FRANCE "WOULD NOT OPPOSE" INDEPENDENT CONVENTION). HE EXPECTED (SUBJECT TO INTERMINISTERIAL CONFIR-

- MATION) THAT GON WOULD BE IN POSITION TO CONTINUE SUPPORT FOR INDEPEND-

ENT CONVENTION INCLUDING FINAL VOTE BUT RULED OUT SUBJECTING AMENDMENT

TO CONCLUSION OF INDEPENDENT CONVENTION. IN GON VIEW AMENDMENT OF CHICAGO CONVENTION IS STRONGER MEASURE THAN INDEPENDENT CONVENTION AND MORE POSSIBLE TO ACHIEVE. SINCE AMENDMENT CARRIES SANCTIONS AND INDEPENDENT CONVENTION NOW DOES NOT, DUTCH WOULD BE UNWILLING TO STAKE

SUCCESS OF ROME MEETINGS ON LATTER. MOK STRESSED IMPORTANCE WHICH DUTCH AScribe TO THEIR PROPSDE ALTERATION OF PROPOSED AMENDMENT. REGARDING RATIFICATIONS, HE SUGGESTED THAT AGREED AMENDMENT OF CHICAGO CONVENTION WITH FOLLOW-THROUGH BY ICAO WOULD STAND BETTER CHANCE OF COMING INTO FORCE THAN INDEPENDENT CONVENTION, EVEN THOUGH LATTER HAS WEAKER EFFECT.

3. MOK EXPRESSED CONCERN WITH U.S. "CONDITION" SET OUT AT OPENING OF SEVENTH PARAGRAPH OUR AIDE-MEMOIRE. HE FELT IT UNBELIEVABLE THAT USG WOULD WITHOLD SUPPORT FROM AND PROBABLY KILL AMENDMENT OF CHICAGO CONVENTION IF INDEPENDENT CONVENTION NOT PASSED. HE FELT LIMITED OFFICIAL USE

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PAGE 03 THE HA 03653 210704Z

THAT CONDITION WOULD BE INTERPRETED AS BLUFF AND WOULD HAVE LITTLE OR NO POSITIVE EFFECT.

4. MOK SAW ISRAELI CAPTURE OF IRAQI AIRCRAFT AS HAVING UNFORTUNATE EFFECT ON ROME MEETINGS. FIRSTLY, IT WOULD TEND TO ADD POLITICAL ATMOSPHERE TO MEETINGS AND PROBABLY CONSUME SEVERAL DAYS TIME.

SECONDLY, ARABS WILL PRESS FOR IMMEDIATE SANCTIONS AGAINST ISRAEL, AND

ANY SUPPORT FOR IMMEDIATE SANCTIONS WILL OPERATE AGAINST DESIRED
AGREEMENT BECAUSE APPROVAL OF AGREEMENT WILL IMPLY THAT SANCTION CANNOT

BE LAID DOWN UNTIL AGREEMENT IS IN FORCE.

5. WHILE AMENDMENT HAS FAR BETTER CHANCE THAN INDEPENDENT CONVENTION,

ITS SUCCESS DEPENDS TO IMPORTANT EXTENT ON SOVIET ATTITUDE, ACCORDING
TO MOK.

6. COMMENT: DUTCH CLEARLY BELIEVE AMENDMENT OF CHICAGO IS ONLY
POSSIBILITY FOR CONSTRUCTIVE FINAL AGREEMENT BUT HOPE TO BE ABLE TO
SUPPORT IDEA OF CONSENSUS BASED ON INDEPENDENT CONVENTION AND AMEND-
MENT. DUTCH PLAN ARRIVE ROME 27 AUGUST. USDEL MAY WISH CONTACT THEM
ON THIS AS WELL AS OTHER POINTS.

7. MOK ASKED FOR USG COMMENTS ON DUTCH PROPOSAL ALTERNING AMENDMENT
TO CHICAGO CNVENTION, ESPECIALLY NOTING CORRIGENDUM CIRCULATED
LATER. REQUEST COMMENTS.

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 20 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973THEHA03653
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: THE HAGUE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730826/aaaaatcc.tel
Line Count: 137
Locator: TEXT ON-LINE
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 157132
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 07 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07-Sep-2001 by thigpegh>; APPROVED <20-Nov-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: ICAO EXTRAORDINARY ASSEMBLY/DIPLOMATIC CONFERENCE, ROME
TAGS: PINS, PFOR, ETRN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005